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**Notice of Allowability**

Application No.

10/708,287

Examiner

My-Trang N. Ton

Applicant(s)

PILO ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to TD filed on 9/29/05 & Tel. Int. 10/06/05.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10/6/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.



**MY-TRANG N. TON  
PRIMARY EXAMINER**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Att. Sullivan on October 6, 2005.

The application has been amended as follows:

In claim 1, line 4, after "plurality of", insert – variable --.

### **Reasons for allowance**

The following is an examiner's statement of reasons for allowance:

1. In response to Applicant's Terminal Disclaimer filed on 9/29/05, the double patenting rejection made in the last Office action is withdrawn.
2. None of the prior art disclosed or suggested to show the particular structure and/or the particular operation recited in these claims namely: "said coarse delay chain including a plurality of variable coarse delay units ... providing a fine delay adjustment with respect to said input clock signal" in combination with "said micro-stepped delay chain further comprising a plurality of parallel signal paths, wherein one or more of said parallel signal paths are capacitively loaded so as to provide said fine delay adjustment" as recited in claim 1; the combination of "a first of said plurality of parallel signal paths comprising a single coarse delay unit", "a second of said plurality of parallel signal paths comprising a pair of coarse delay units" and "the remainder of said plurality of parallel

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signal paths each comprising a single coarse delay unit having an intermediate node thereof loaded with a stepped value of capacitance with respect to one another" as recited in claim 14.

3. The prior art references submitted by the applicant on IDS form received on 2/23/04 was reviewed and considered. These references appear to be the best references with respect to the claimed invention and closely matched most of the references found during the examiner's searches. However, at least one limitation is not disclosed. Therefore, the claims are patentably distinct over all these prior art references of record.

4. The prior art reference cited on PTOL-892 is for interest and documentation purposes only. The Cao et al (U.S No. 2003/0001650) appears to be the best reference with respect to the claimed invention. However, the combinations of all elements as recited in claims 1 and 14 are not disclosed, for example: a plurality of variable coarse delay units (claim 1), the details of the micro-stepped delay chain (claim 14). Therefore, the claims are patentably distinct over this prior art reference of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Trang N. Ton whose telephone number is 571-272-1754. The examiner can normally be reached on 7:00 a.m - 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



My-Trang N. Ton  
Primary Examiner  
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October 11, 2005